



LEAGUE OF WOMEN VOTERS[®]

OF HOUSTON EDUCATION FUND

4001 N. Shepherd Dr., Suite 213, Houston, TX 77018-5507

Office 713-784-2923 Fax: 713-784-2984 Email: lwv@lwvhouston.org www.lwvhouston.org

Voter Photo ID in Texas — Get Ready Now

What is the new Photo ID Law?

Governor Perry signed senate Bill 14 into law on May 27, 2011. The Texas Secretary of State has summarized the law at <http://www.sos.state.tx.us/elections/laws/advisory2011-10.shtml>. The requirement to present a photo ID to vote in person does not take effect until January 1, 2012. The first elections after that are the spring 2012 primaries, on March 6, 2012.

What kind of photo ID will work when the law takes effect?

Seven types of ID are approved: (1) Texas driver's license (2) Texas identification card issued by DPS (3) a new type of ID called an election identification certificate (4) U.S. passport (5) Texas concealed handgun license (6) citizenship certificate (with photo) issued after naturalization and (7) a U.S. military ID. With the exception of the U.S. citizenship certificate, the identification must be current or have expired no more than 60 days before being presented for voter qualification at the polling place.

Do I have to show a photo ID to vote in person in November 2011?

No. Nothing changes for voters until January 1, 2012. However, if you are voting for the first time, you may have to prove who you are under the laws that already existed before Senate Bill 14. This can be done without a photo ID.

What about Voting Rights Act Preclearance?

The voter photo ID requirement and other election law changes made by the 2011 Texas Legislature must be "precleared" by the Department of Justice (DOJ) or the courts before they can be enforced. Texas filed for DOJ preclearance on July 25, 2011. The DOJ asked the state to provide further information. If DOJ does not preclear the law, the state can seek approval from the courts. The DOJ website explains preclearance and the Voting Rights Act at <http://www.justice.gov/crt/about/vot/overview.php#vra>.

Will those who vote by mail have to provide an ID?

No. Nothing in Senate Bill 14 changes the way voting by mail is conducted. You may request a paper mail-in ballot if you are at least 65 years old, if you are sick or disabled, if you are incarcerated, or if you will be away from Harris County during the early voting period and on Election Day. You do not have to submit medical records or proof of illness or disability. Your illness or disability may be permanent or temporary. A mail ballot application must be received by the clerk at least seven days before the election. Follow instructions carefully. The marked ballot must be returned to the early voting clerk before 7 p.m. on election day. Visit www.harrisvotes.com or call 713-755-6965 for instructions on how to vote by mail.

What will I have to do to get the new election identification certificate?

The Department of Public Safety (DPS) has issued proposed rules that would require you to go to DPS with the same type of proof DPS requires of those who seek a driver's license or personal identification card. An expired Texas driver's license or ID card that is between 60 days and two years out of date can be used as "primary identification." Otherwise, you must present a certified copy of a birth certificate or a court order with name and date of birth indicating an official change of name and/or gender along with two pieces of "supporting identification." Applications will include fingerprints. SB 14 provides that the new election identification "may not be used or accepted as a personal identification certificate." It is good for voting and nothing else. If you already possess one of the other photo IDs required for voting, you cannot apply for an election identification certificate. [DPS Proposed Rules](#)

If I need an ID, what should I do?

We suggest that all voters who do not already have a valid Texas driver's license, Texas personal identification card, or passport, start to gather the documents required and get a DPS-issued ID or a passport soon. **Do not wait** until after January 1, 2012, to seek an election identification certificate or one of the other types of approved IDs.

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Why the hurry?

If you wait until after January 1, 2012, you may not have your ID card before the March 6, 2012 primaries. Waiting for the “free” election identification certificate will not save you much because the cost of getting the underlying documentation is the same. For those age 60 and older, the fee paid to DPS for an ID card is only \$6.00, the ID does not expire, and is good for other purposes. An election identification certificate will have to be renewed every six years unless you are age 70 or older.

What do I need to take to DPS to get an ID?

DPS explains its requirements for a Texas ID card at <http://www.txdps.state.tx.us/Driver'sLicense/applyforID.htm>. As a citizen by birth, you will probably need an original or certified copy of your birth certificate issued by the state in which you were born. If you have a court order changing your name and/or gender, that order may take the place of a birth certificate. In addition, you will need two more “supporting identification documents,” such as a social security card, W-2, 1099 form, an ID or license from another state, voter registration card, school photo ID or report card, military records, an ID issued by a government agency, Texas Inmate ID, immunization record, vehicle title, insurance policy, VA card, etc.

To see the full list, go to: <http://www.txdps.state.tx.us/Driver'sLicense/identificationrequirements.htm>.

How do I get a birth certificate?

If you were born in Texas, you or a close family member can get a birth certificate (or birth facts) from the City of Houston Bureau of Vital Statistics, 8000 North Stadium Drive, first Floor, Houston, Texas 77054. The cost is \$23.00. The office is open weekdays from 7 a.m. until 4 p.m., and on Thursdays until 6 p.m. Take a credit card or cash. They do not accept personal checks. You will have to prove who you are, but you need not have a Texas ID. They accept other types of photo IDs and secondary identification. The list is long. You or a family member can also apply by mail or online to the Texas Department of State Health Services. http://www.dshs.state.tx.us/vs/regproc/certified_copy.shtm. County Clerk offices can also provide birth certificates. Download a form at <http://www.cclerk.hctx.net/Forms/D0222.pdf>. The main office is on the third floor of the downtown courthouse, 201 Caroline. For branch locations, go to http://www.cclerk.hctx.net/Branch_Locations.aspx.

What if I was born out of state?

Each state has different rules. Fees vary from \$10 to \$50. Almost every state requires some type of ID from the applicant to get a birth certificate. Almost every state limits who can seek the certified copy. Most states allow a close family member to apply. This link tells you where to write or call <http://www.cdc.gov/nchs/w2w/w2w.pdf>. It can take many weeks to receive your out-of-state birth certificate.

Where are DPS locations?

Each Harris County DPS location is outside the Loop 610. Many are on bus routes. Check the blue pages of a phone book. DPS lists locations and hours at http://www.txdps.state.tx.us/administration/driver's_licensing_control/rolodex/searchresults.asp.

What if the name on my ID does not match the name on my voter registration card?

The photo and name on the photo ID will be used to verify that the person seeking to vote is the individual who is registered to vote. The name on the photo ID should be the name used in registering to vote. If you have already registered to vote, you can change the name under which you are registered online <https://txapps.texas.gov/tolapp/sos/SOSACManager>. At the polls, if the name on the list of registered voters is similar to that on the photo ID but not exactly the same, the voter may be allowed to vote a regular ballot by signing an affidavit. Find the [proposed rules](#) in the Texas Register. 36 Tex. Reg. 6209 (Sept. 23, 2011).

What if my ID does not have my current address?

SB 14 does not require that the address on the offered photo identification match the address on the list of registered voters. However, other election laws require you to tell the voter registrar that you have changed where you live.

What if I had an ID, but it expired?

If you have the actual expired Texas driver's license or Texas ID and it expired within two years, you have what you need to prove who you are. Just go to DPS and pay the required fee. You may also change your address or renew online if you have a credit card and meet other requirements by going to <http://www.txdps.state.tx.us/Driver'sLicense/dlfork.aspx?action=renew>.